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## FACSIMILE COVER SHEET

**DATE:** February 11, 2005  
**FILE NO:** ROC920010292  
**TO:** Examiner Phung Nguyen  
**FAX NO:** 703/872-9306  
**COMPANY:** USPTO  
**FROM:** Gero G. McClellan  
**PAGE(S) with cover:** 2  
**ORIGINAL TO FOLLOW?**  YES  NO

## NOTICE OF APPEAL

**U.S. SERIAL NO.:** 10/041,937  
**FILING DATE:** January 8, 2002  
**INVENTOR:** Nee  
**EXAMINER:** Phung Nguyen  
**GROUP ART UNIT:** 2632  
**CONFIRMATION NO.:** 4924

## CONFIDENTIALITY NOTE

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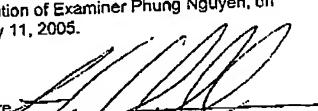
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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)  
ROC920010292US1

I hereby certify that this correspondence is being facsimile transmitted to fax number 703/872-9306 to the attention of Examiner Phung Nguyen, on February 11, 2005.

Signature



Typed or Printed  
Name Gero G. McClellan

In re Application of

Nee

Application Number	Filed
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10/041,937

January 8, 2002

For

Emergency Call and Patient Locating System for Implanted  
Automatic Defibrillators

Group Art	Examiner
Unit	Nguyen, Phung
2632	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner

The fee for this Notice of Appeal is (37 CFR 1.17(b))

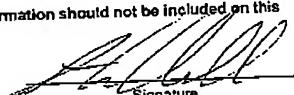
\$ 500.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 09-0465.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- applicant/inventor.
- assignee of record of the entire interest. See 37 CFR 3.71  
Statement under 37 CFR 3.73(b) is enclosed.
- attorney or agent of record.  
Registration number 44,227.
- attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a)   .

  
Signature

Gero G. McClellan

Typed or printed name

713/577-4810

Telephone Number

February 11, 2005

Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below.**

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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